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**PATENT**  
64766-5003

## IN THE PATENT AND TRADEMARK OFFICE

In re application of: John CARLUCCI et al.	
Application No.: 10/730,313	Art Unit: 3764
Filed: September 2, 2004	Examiner: Jerome W. Donnelly
For: MUSCLE STRETCHING DEVICE AND METHOD OF USING THE SAME	Confirmation No.: 2212

**CERTIFICATE OF TRANSMISSION  
under 37 CFR 1.8**

Mail Stop Amendment  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this document and the identified  
enclosures and fee are being transmitted via facsimile  
(571) 273-8300 addressed to: Mail Stop Amendment,  
Commissioner for Patents, P.O. Box 1450, Alexandria,  
VA 22313-1450 on October 3, 2005

by Marta Hodur  
Marta Hodur

**AMENDMENT TRANSMITTAL LETTER**

1. Transmitted herewith is an amendment for this application.

**STATUS**

2. Applicant is a small entity.

**EXTENSION OF TERM**

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for one month:

Fee: \$60.00

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**FEE FOR CLAIMS**

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY			
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE	ADDIT. FEE	
TOTAL	11	-	19	=	0 x \$	25.00	= \$ 0.00
INDEP.	2	-	6	=	0 x \$	100.00	= \$ 0.00
				+			
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					\$	0.00	= \$ 0.00
					TOTAL		
					ADDIT. FEE	\$	0.00

No additional fee for claims is required.

**FEE PAYMENT**

5. Authorization is hereby made to charge the amount of \$60.00 to USPTO Deposit Account No. 10-0440.

**FEE DEFICIENCY**

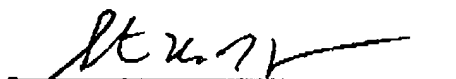
6. If an additional extension and/or fee is required, charge Account No. 10-0440.

If an additional fee for claims is required, charge Account No. 10-0440.

Respectfully submitted,

Date:

10/3/2005

  
STEVEN R. HANSEN  
Registration No. 39,214

JEFFER, MANGELS, BUTLER & MARMARO LLP  
1900 Avenue of Stars, Seventh Floor  
Los Angeles, CA 90067  
(310) 203-8080

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Jeffer Mangels 6th #22

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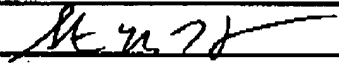
Approved for use through 07/31/2008. OMB 0651-0031

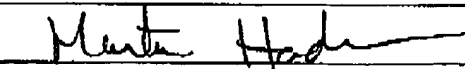
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  <small>(to be used for all correspondence after initial filing)</small>	Application Number	10/730,313	
	Filing Date	09/02/2004	
	First Named Inventor	John CARLUCCI	
	Art Unit	3764	
	Examiner Name	Jerome W. Donnelly	
Total Number of Pages in This Submission	2	Attorney Docket Number	64766-5003

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Authorization to Charge Deposit Account No. 10-0440
<div style="border: 1px solid black; height: 40px; width: 100%;"></div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Jeffer, Mangels, Butler & Mamaro, LLP		
Signature			
Printed name	Steven R. Hansen		
Date	October 3, 2005	Reg. No.	39,214

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Signature			
Typed or printed name	Marta Hodur	Date	October 3, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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OCT 03 2005

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:  
John CARLUCCI, et al.

Serial No.: 10/730,313

Filed: December 4, 2003

For: MUSCLE STRETCHING  
DEVICE AND METHOD OF  
USING THE SAME

Art Unit: 3764

Examiner: Jerome W. Donnelly

Confirmation No. 2212

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATE OF TRANSMISSION/MAILING

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Marta Hodur

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RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir/Madam:

In the Office Action, dated August 4, 2005, the Examiner required Applicant to elect one of the following groups of claims for prosecution:

Group I- Claims 1-3, 8-11 and 19, drawn to an apparatus.

Group II- Claims 4-7 and 12-18, drawn to a method of tension relief.

Response to Restriction  
Requirement, dated August 4, 2005

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Appl. No. 10/730,313  
Atty. Docket No. 64766-5003  
Customer No. 24574

Applicant hereby elects the claims of Group II for prosecution.

If there are any remaining issues that can be resolved by telephone, Examiner Donnelly is invited to contact the undersigned attorney at the telephone number listed below.

Respectfully submitted,

JEFFER, MANGELS, BUTLER & MARMARO LLP

Dated: October 3<sup>rd</sup>, 2005

By: St R. Hansen

Steven R. Hansen, Esq.  
Reg. No. 39,214  
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(310) 203-8080

Response to Restriction  
Requirement, dated August 4, 2005

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Appl. No. 10/730,313  
Atty. Docket No. 64766-5003  
Customer No. 24574

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